

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Application Number: 09/647,265	Confirmation Number: 5375
Filing Date: November 9, 2000	
First Named Inventor: Toby WALKER et al.	
Group Art Unit: 2613	
Examiner: Tung T. Vo	
Attorney Docket Number: 09812.0526	
Attorney Customer Number: 22,852	

RCE  
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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: **Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise.** If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - ii.  Other \_\_\_\_\_
- b.  **DO NOT ENTER** the amendment(s) previously filed on \_\_\_\_\_. An alternate submission is attached.
- c.  Enclosed submission:
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement
  - iv.  Other \_\_\_\_\_

2. Miscellaneous

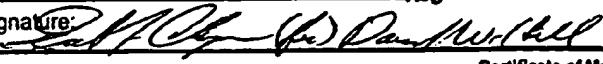
- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other \_\_\_\_\_

3. Fees

- a.  The filing fee is calculated as follows:
 

i. <input checked="" type="checkbox"/> \$790.00 RCE fee required under 37 C.F.R. § 1.17(e) ..	01 FC:1801	790.00 OP
ii. <input type="checkbox"/> Petition for extension of time for ( Months ) \$ ..	Adjustment date: 02/14/2006 CKHLOK	
iii. <input type="checkbox"/> Other _____	02/07/2006 SZEWDIE1 00000051 09647265	-790.00 OP
- b.  Check in the amount of \$790.00 enclosed.
- c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

**Signature of Applicant, Attorney, or Agent Required**

Name: David W. Hill	ERNEST F. CHAPMAN Reg. No. 25,961	Reg. No.: 28,220 /25, 961
Signature: 	Date: February 6, 2006	

**Certificate of Mailing or Transmission**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Signature: _____	Date: _____
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DAH:060916 Name/Number:09647265  
FC: 9204 \$130.00 CR

Repln. Ref: 02/14/2006 CKHLOK 0008001500 DAH:060916 Name/Number:09647265 FC: 9204 \$130.00 CR
Repln. Ref: 02/14/2006 CKHLOK 0008014100 DAH:060916 Name/Number:09647265 FC: 9204 \$790.00 CR



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PATENT  
Customer No. 22,852  
Attorney Docket No. 09812.0526

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Toby WALKER et al. ) Group Art Unit: 2613  
Application No.: 09/647,265 ) Examiner: Tung T. Vo  
Filed: November 9, 2000 ) Allowed: August 17, 2005  
For: Data Describing Method and ) Confirmation No.: 5375  
Data Processor )

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR WITHDRAWAL OF PATENT FROM ISSUE**

Pursuant to 37 C.F.R. § 1.313(c)(2), Applicant respectfully petitions the  
Commissioner to withdraw the application from issue for abandonment to permit  
consideration of an Information Disclosure Statement under § 1.97 in a Request for  
Continued Examination. The required fee of \$130.00, as specified in 37 C.F.R.  
§ 1.17(h), is enclosed.

12/07/2006 SZEWDIE1 00000050 09647265

11 FC:1464 130.00 0P

Adjustment date: 02/14/2006 CKHLOK  
02/07/2006 SZEWDIE1 00000050 09647265  
01 FC:1464 -130.00 0P

If any additional fees are necessitated in regard to the filing of this paper, please  
charge the cost to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 6, 2006

By:   
David W. Hill  
Reg. No. 28,220

ERNEST F. CHAPMAN  
Reg. No. 25,981

UNITED STATES PATENT & TRADEMARK OFFICE  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request:	2-17-06	2 Serial/Patent #	191657265
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
	Filing		\$
	Amendment		\$
	Extension of Time		\$
	Notice of Appeal/Appeal		\$
	Petition	2-6-06	\$ 130
	Issue		\$
	Cert of Correction/Terminal Disc.		\$
	Maintenance		\$
	Assignment		\$
	Other	RCE	2-6-06 \$ 790
		7 TOTAL AMOUNT OF REFUND	\$ 920
10 REASON:		8 TO BE REFUNDED BY:	
Overpayment		Treasury Check	
Duplicate Payment		Credit Deposit A/C #:	
No Fee Due (Explanation):  Refund dismissed as max.		, 06-0916	
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME:		TITLE: <i>Karen Creas</i>	
SIGNATURE: <i>Karen Creas</i>		PHONE: 2-7208	
OFFICE: <i>DAC for Patents</i>			
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APPROVED: <i>Dee K. Cole</i>		DATE: 2/14/06	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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